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PATENT  
29250-002319/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT: Douglas Harold Rollender CONF. NO.: 6663  
SERIAL NO.: 10/798,629 GROUP: 2617  
FILED: March 11, 2004 EXAMINER: C. Tran  
FOR: METHOD OF ASSOCIATING DATA WITH A CALL TO A  
CALL CENTER

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**REPLY TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

July 26, 2007

**MAIL STOP APPEAL BRIEF - PATENTS**

Sir:

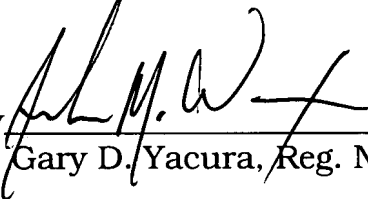
In reply to the Notice of Non-Compliant Appeal Brief mailed July 24, 2007 Appellants respectfully resubmit herewith an amended Appeal Brief for the above-identified application. Applicants submit that the amended Appeal Brief filed herewith is in accordance with current USPTO Practice and Procedures.

APPELLANT'S BRIEF ON APPEAL UNDER 37 C.F.R. §41.37  
U.S. Application No. 10/798,629  
Atty Docket No. 29250-002319/US

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

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Attachments: Revised Appeal Brief



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Alexandria, VA 22314  
**Mail Stop Appeal Briefs - Patents**

Sir:

In accordance with the provisions of 37 C.F.R. § 41.37, Appellant submits the following:

**I. REAL PARTY IN INTEREST:**

The real party in interest is Alcatel-Lucent Technologies.

**II. RELATED APPEALS AND INTERFERENCES**

No related appeals or interferences are known.

**III. STATUS OF CLAIMS:**

Claims 1-5 and 8-9 stand finally rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2004/0203565 ("*Chin*").<sup>1</sup>

Claims 1-27 stand finally rejected under 35 U.S.C. § 102(e) as allegedly anticipate by U.S. Patent Application Publication No. 2005/0053209 ("*D'Evelyn*").<sup>2</sup>

Claims 1-27 are being appealed.

**IV. STATUS OF AMENDMENTS:**

Concurrently herewith, Appellant has submitted an Amendment after Final including minor amendments to independent claims 1, 5, 8 and 24. Because these amendments serve only to correct minor typographical errors, but do not raise any new issues requiring further consideration or

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<sup>1</sup> *Final Office Action*, p. 2 (June 1, 2006).

<sup>2</sup> *Id.* at 4.

search, Appellant believes these amendments should and will be entered for the purposes of this Appeal. The claims set forth in Appendix A incorporate the amendments made in the concurrently filed Amendment after Final.

**V. SUMMARY OF CLAIMED SUBJECT MATTER:**

**A. CONCISE EXPLANATION OF THE SUBJECT MATTER SET FORTH IN EACH OF INDEPENDENT CLAIMS 1, 8, 14, 18 AND 22 ARGUED SEPARATELY.**

1. An explanation of the subject matter set forth in each independent claim argued separately referring to the specification and/or the drawings by reference characters in accordance with 37 C.F.R. § 41.37(c)(1)(v).

Claim 1 is directed to a method of communication to at least one wireless unit (20) originating an emergency call (e.g., a 9-1-1 call).<sup>3</sup> In this method, at least one tag identifier (e.g., an emergency services routing key (ESRK), a local public safety number (LPN), a paging identity (PGID) and/or a mobile equipment identification number (e.g., MEID))<sup>4</sup> is received from a public safety answering point call center (e.g., PSAP-CC 90 in FIG. 1) in response to an emergency call from the at least one wireless unit 20.<sup>5</sup> A wireless call back number (e.g., LPN of MSC 40 and the MEIN of the wireless unit 20 in FIG. 1) corresponding to the at least one tag identifier is transmitted to the public safety answer point call center (e.g., PSAP-CC 90)

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<sup>3</sup> See, generally, Applicant's Specification, FIGS. 1, 2 and pp. 9-12.

<sup>4</sup> Id. at 8-9.

<sup>5</sup> Id. at 11, ll. 19-24.

in response to receiving the at least one tag identifier.<sup>6</sup>

Independent claim 8 is directed to a method of establishing an emergency call originated by at least one wireless unit (e.g., 220 in FIG. 3) within a communication system having an emergency call register (e.g., PSAP-ECR 270 in FIG. 3). In this method, at least one tag identifier (e.g., an emergency services routing key (ESRK), a local public safety number (LPN), a paging identity (PGID) and/or a mobile equipment identification number (MEID)) from a mobile switching center (e.g., MSC 240 in FIG. 3) associated with the at least one wireless unit (e.g., 220 in FIG. 3) is transmitted to the emergency call register (e.g., PSAP-ECR 270 in FIG. 3) and public safety answering point call center (e.g., PSAP-CC 290 in FIG. 3) in response to the emergency call from the at least one wireless unit (e.g., 220 in FIG. 3).

Independent claim 14 is directed to a method of establishing an emergency callback originated by at least one wireless unit (e.g., 20 in FIG. 1) within a communication system (e.g., 10 in FIG. 1) having an emergency call register (e.g., SS-ECR 50, PSAP-ECR 70 in FIG. 1). In this method, at least one tag identifier is transmitted from the emergency call register (e.g., SS-ECR 50, PSAP-ECR 70 in FIG. 1), and the at least one tag identifier is entered into an emergency service message entity (e.g., ESME 80 in FIG. 1). The emergency callback corresponding with the entered at least one

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<sup>6</sup> *Id.* at ll. 25-29.

received tag identifier is requested.

Independent claim 18 is directed to a method of establishing an emergency call originated by at least one wireless unit (e.g., 20 in FIG. 1) within a communication system (e.g., 10 in FIG. 1) having an emergency service message entity (e.g., ESME 80 in FIG. 1). In this method, at least one tag identifier is received from an emergency call register (e.g., SS-ECR 50 in FIG. 1), and the at least one tag identifier is entered into the emergency service message entity (e.g., ESME 80 in FIG. 1). The emergency call corresponding to the entered at least one entered tag identifier is then requested.

Independent claim 22 is directed to a method of establishing an emergency call originated by at least one wireless unit (e.g., 20 in FIG. 1) associated with a mobile switching center (e.g., MSC 40 in FIG. 1). In this method, at least one tag identifier is transmitted from the mobile switching center (e.g., MSC 40 in FIG. 1) associated with the at least one wireless unit (e.g., 20 in FIG. 1) to an emergency service message entity (e.g., ESME 80 in FIG. 1) in response to the emergency call from the at least one wireless unit (e.g., 20 in FIG. 1).

The above discussion is for example purposes only. Although claims have been identified as reading on particular example embodiments described in the present application, it will be understood that these claims may read on one or more other example embodiments described in the

present application.

2. A more general discussion of the subject matter described in the specification to assist the Board in understanding example embodiments described in the present application.

Example embodiments provide methods and system architectures for ensuring a real call back number is provided for a wireless unit originating a "9-1-1" call. More particularly, example embodiments enable a call center, such as a local public safety answering point call center (PSAP-CC), to initiate a callback, irrespective of whether the originating "9-1-1" call was placed over wireless or wireline communications infrastructure.<sup>7</sup> A tag identifier may correspond with a name or label to uniquely associate signaling from different sources such as, for example, the association of a voice with associated data transmitted over a different channel or in a separate message.<sup>8</sup> For example, tag identifier(s) may correspond with an emergency service routing key, a local public safety number, a paging identity and/or a mobile equipment identification number.<sup>9</sup>

Referring to FIGS. 1 and 2, a wireless unit 20 communicates an emergency 9-1-1 call to a mobile switching center 40 ("MSC") through a base station 30 over an air interface.<sup>10</sup> Upon receipt of the "9-1-1" call, identification information associated with wireless unit 20 may be communicated to an emergency call register at a serving system 50 (ECR-

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<sup>7</sup> *Id.* at p. 8, ll. 22-24.

<sup>8</sup> *Id.* at ll. 24-30.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at p. 9, ll. 15-22; *see, also*, message flow 110 in FIG. 2.



SS).<sup>11</sup> Identification information associated with wireless unit 20 may include a mobile equipment identification number (MEIN).<sup>12</sup> Along with transferring the MEIN, MSC 40 may also communicate a paging identity ("PGID") to ECR-SS 50 as part of message flow 120.<sup>13</sup>

According to example embodiments, if the "9-1-1" call from wireless unit 20 is dropped or disconnected from base station 30 and MSC 40, the PGID may be used to page wireless unit 20.<sup>14</sup> To page wireless unit 20 in the circumstance of a call drop or disconnect, a local public safety number ("LPN") of MSC 40 may be needed to uniquely identify the switch serving the "9-1-1" caller (e.g., wireless unit 20).<sup>15</sup> In addition to the LPN, an Emergency Service Routing Key ("ESRK") may also be employed for uniquely identifying the "9-1-1" caller.<sup>16</sup>

The SS-ECR 50 receives the identification information associated with wireless unit 20 from MSC 40, and redirects this information to another emergency call register (ECR) associated with a public service answering point 70 ("PSAP").<sup>17</sup> Along with the 9-1-1 call, the ESRK may be signaled from MSC 40 to an emergency service network element 60

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<sup>11</sup> *Id.* at ll. 23-25; *see, also*, message flow 120 of FIG. 2.

<sup>12</sup> *Id.* at ll. 27-29.

<sup>13</sup> *Id.* at p. 10, ll. 3-5..

<sup>14</sup> *Id.* at ll. 5-7..

<sup>15</sup> *Id.* at ll. 7-9.

<sup>16</sup> *Id.* at ll. 14-16.

<sup>17</sup> *Id.* at p. 11, ll. 1-8; message flow 130 of FIG. 2.

("ESNE").<sup>18</sup> The ESRK may be re-transmitted from the ESNE 60 to a public safety access point call center 90 ("PSAP-CC").<sup>19</sup> The PSAP-CC 90 may use the ESRK to query ESME 80 about wireless unit 20 from which the "9-1-1" call originated.<sup>20</sup>

In response to the query from PSAP-CC 90, ESME 80 may provide a callback number ("CBN"), the cell site location, the wireless unit's location, the LPN of the serving system and the MEIN of wireless unit 20 to PSAP-CC 90.<sup>21</sup> The CBN is not the directory number of the wireless unit or a non-dialable number as prescribed by exiting standards for NSI phones, but instead includes the LPN of MSC 40 serving wireless unit 20 and the MEIN of wireless unit 20.<sup>22</sup>

The PSAP-CC 90 may further signal the PSAP-ECR 70 and ESME 80 using the ESRK as a database key to request a callback through MSC 40 should the "9-1-1" originating call be dropped or disconnected.<sup>23</sup> Here, the request for a callback may be relayed through PSAP-ECR 70 to SS-ECR 50, and SS-ECR 50 may request a callback through MSC 40.<sup>24</sup>

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<sup>18</sup> *Id.* at ll. 11-14; message flow 140 of FIG. 2.

<sup>19</sup> *Id.* at ll. 15-18; message flow 150 of FIG. 2.

<sup>20</sup> *Id.* at ll. 19-24; message flow 160 of FIG. 2.

<sup>21</sup> *Id.* at ll. 25-28; message flow 170 of FIG. 2.

<sup>22</sup> *Id.* at p. 11, l.30 – p. 12, l. 4.

<sup>23</sup> *Id.* at p. 12, ll.4-9.

<sup>24</sup> *Id.* at ll. 8-15; message flows 180 through 200 of FIG. 2.

FIGS. 3 and 4 illustrate another example embodiment.<sup>25</sup> With respect to FIG. 3, an architecture 300 of a network reference model ("NRM") supporting mobile emergency service is shown, while FIG. 4 illustrates a message flow diagram 400 corresponding with the NRM of FIG. 3.<sup>26</sup>

Referring to FIG. 3, a wireless unit 220 communicates an emergency 9-1-1 call to an MSC 340 through a base station 330.<sup>27</sup> Upon receiving the "9-1-1", MSC 340 communicates identification information associated with wireless unit 220 to an ECR-SS 350.<sup>28</sup>

The SS-ECR 350 may communicate the identification information associated with the new emergency call to PSAP-ECR 370.<sup>29</sup> Concurrently, the LPN, MEIN and ESRK may also be communicated from PSAP-ECR 370 to ESME 380.<sup>30</sup> The ESRK may be communicated with the call (e.g., as call associated signaling) by MSC 340 and with the LPN and MEIN to ENSE 360.<sup>31</sup>

Once the ESRK and the call have been communicated, PSAP-CC 390 may use the ESRK to query ESME 380.<sup>32</sup> In response to the PSAP-CC 390, ESME 380 may provide the callback number, wireless unit location and other necessary pertinent information to PSAP-CC 390 for handling the

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<sup>25</sup> *Id.* at 13, ll. 1-2.

<sup>26</sup> *Id.* at 13, ll. 2-6.

<sup>27</sup> *Id.* at 13, ll. 8-12; message flow 410 in FIG. 4.

<sup>28</sup> *Id.* at 13, ll. 13-14; message flow 420 in FIG. 4.

<sup>29</sup> *Id.* at 15, ll. 3-6; message flow 430 of FIG. 4.

<sup>30</sup> *Id.* at 15, ll. 8-9.

<sup>31</sup> *Id.* at 15, ll. 10-12; message flow 440 of FIG. 4.

<sup>32</sup> *Id.* at 15, ll. 17-18; message flow 460 of FIG. 4.

emergency call.<sup>33</sup> If the "9-1-1" call is dropped or disconnected, PSAP-CC 390 may use the ESRK to signal ESME 380, and in so doing request a callback through MSC 340.<sup>34</sup>

**VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL:**

Appellant seeks the Board's review of the rejection of claims 1-5 and 8-9 under 35 U.S.C. § 102(e) over *Chin*.

Appellant also seeks the Board's review of the rejection of claims 1-27 under 35 U.S.C. § 102(e) over *D'Evelyn*.

Claims 1-27 are being appealed.

**VII. ARGUMENTS:**

**A. THE REJECTION OF CLAIMS 1-5 AND 8-9 SHOULD BE WITHDRAWN BECAUSE CHIN FAILS TO ANTICIPATE THE CLAIMS.**

1. Chin fails to anticipate claim 1.

The above rejection should be withdrawn because *Chin* fails to anticipate claims 1-5 or 8-9. A prior art reference cannot be said to anticipate a claimed invention unless each and every feature set forth in the claim is disclosed in the prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. § 2131. With regard to claim 1, for example, *Chin* fails to teach or fairly suggest, "transmitting to the public safety answering point call center a wireless callback number corresponding to the at least one tag identifier in

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<sup>33</sup> *Id.* at 15, ll. 22-26; message flow 470 of FIG. 4.

<sup>34</sup> *Id.* at 15, ll. 27-30; message flow 480 of FIG. 4.

response to receiving the at least one tag identifier," as required by claim 1.

Because *Chin* fails to teach or fairly suggest such a feature, *Chin* cannot be said to anticipate claim 1.

Claim 1 is directed to a method of communication to at least one wireless unit originating an emergency call. In this method, at least one tag identifier is received from a public safety answering point call center in response to an emergency call from the at least one wireless unit. A wireless call back number corresponding to the at least one tag identifier is transmitted to the in response to receiving the at least one tag identifier.

FIGS. 1-6 of *Chin* illustrate operation of a callback method.<sup>35</sup> According to FIG. 1, an emergency call is placed by mobile station MS1 through mobile station controller (MSC) to the public service access point (PSAP). The message received by the PSAP includes the called party number CdPN 9-1-1, the calling party number ELRN and the mobile station identifier MSID1 for the mobile station MS1.<sup>36</sup>

In response to receiving this message from the MSC the PSAP performs a call back to the MSC using the ELRN as the called party number and MSID1 as the generic address parameter (GAP).<sup>37</sup> The called party number ELRN, however, is associated at most only with the MSC, but not the mobile station MS1. Therefore, even assuming *arguendo* that the

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<sup>35</sup> *Chin* at 20.

<sup>36</sup> See, e.g., FIG. 1 of *Chin*.

<sup>37</sup> *Id.* at FIG. 2; [0021].

mobile station identifier MSID could constitute the "at least one tag identifier," of claim 1, the ELRN or call back number used in *Chin* does not correspond to the mobile station MS1, but instead corresponds, at most, to the MSC. Therefore, the ELRN does not constitute the "wireless call back number," of claim 1.

Moreover, as discussed above, in claim 1, the at least one tag identifier is received from the public safety answering point call center, and a wireless call back number corresponding to the at least one tag identifier is transmitted to the public safety answering point call center in response to receiving the at least one tag identifier. In *Chin*, however, no such reception and transmission from and to the public service answering point occurs. To the contrary, the mobile station identifier MSID1 (which the Examiner believes corresponds to the "at least one tag identifier") is received by the public service answering point, and in response, the PSAP merely performs a call back. The PSAP in *Chin* does not transmit the MSID1 nor does *Chin* disclose transmitting a call back number to the public safety answering point in response to the at least one tag identifier transmitted from the public service answering point.

For at least this additional reason, *Chin* cannot be said to anticipate independent claim 1. Claims 2-5 are also patentable over *Chin* at least by virtue of their dependency from claim 1.

2. *Chin* fails to anticipate claim 8.

*Chin* also fails to anticipate claim 8. While *Chin* arguably discloses transmitting mobile station identifier MSID1, from MSC to the PSAP, *Chin* fails to mention or suggest any emergency call register (ECR), and therefore, fails to teach or fairly suggestion "transmitting to the emergency call register and a public service answering point call center at least one tag identifier from the mobile switching center," as required by claim 8. For at least this reason, claim 8 is patentable over *Chin*. Claim 9 is patentable over *Chin* at least by virtue of its dependency from claim 8.

**B. THE REJECTION OF CLAIMS 1-27 SHOULD BE WITHDRAWN BECAUSE D'EVELYN FAILS TO ANTICIPATE CLAIMS 1, 8, 14, 18 OR 22.**

1. A brief discussion of D'Evelyn.

Referring to FIG. 3 of *D'Evelyn*, when mobile phone 244 places a 9-1-1 call, MPC 250 and ESME 124 cooperate to route the 9-1-1 call to PSAP 126 and to provide position information relating to mobile phone 244 for use by PSAP 126 in selecting which first responders 128 to dispatch to aid the caller using mobile phone 244.<sup>38</sup> An IID (incident identification) is assigned to a 9-1-1 call in system 120 at a juncture within system 120 at which a call may be recognized as a 9-1-1 call.<sup>39</sup>

When the ESME 124 receives indication of the 9-1-1 call, the ESME 124 queries registered databases (i.e., databases 132, 130 or other databases not shown in FIG. 3) using the assigned IID and an appropriate

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<sup>38</sup> *D'Evelyn* at [0079].

<sup>39</sup> *Id.* at [0080].

data key for each respective database.<sup>40</sup> With the help of the PSAP 126, if the caller is a subscriber for emergency notification services, the data key and assigned IID of the caller is `pushed` to emergency notification facility 136. Contacts associated with the 9-1-1 caller are then notified regarding the occurrence of the 9-1-1 call event.<sup>41</sup>

2. The Examiner's rejection does not address the features of independent claims 1, 8, 18 and 22, and thus, falls short of establishing how D'Evelyn anticipates these claims.

The Examiner has failed to point to any portion of *D'Evelyn* to teach or fairly suggest the features of claim 1, 8, 18 or 22. Thus, Appellant believes the Examiner has fallen short of establishing a *prima facie* case of anticipation of claims 1, 8, 18 or 22 because each independent claim differs in scope and limitations, and thus, need be addressed individually. At most, the Examiner's rejection addresses only the features set forth in claim 14. To expedite prosecution of the present application, Appellant will address the Examiner's rejection of claims 1, 8, 14, 18 and 22 regardless.

3. D'Evelyn does not anticipate claim 1.

As discussed above, in the method of claim 1, at least one tag identifier is received from a public safety answering point call center in response to an emergency call from at least one wireless unit, and a wireless call back number corresponding to the at least one tag identifier is transmitted to the public safety answering point call center in response to

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<sup>40</sup> *Id.* at [0081-82].

<sup>41</sup> *Id.* at [0079].



receiving the at least one tag identifier. *D'Evelyn* fails to teach or fairly suggest these features.

According to *D'Evelyn*, the public safety answering point (PSAP) is "communicatingly coupled" to a selective router 122, ESME 124 and first responders 128.<sup>42</sup> The PSAP 126 in *D'Evelyn*, however, merely selects and contacts first responders 128 to dispatch in response to position information provided by the ESME 124. No tag identifier is received from the PSAP 126 in response to the 9-1-1 call, and no wireless call back number corresponding to the at least one tag identifier is transmitted to the PSAP 126 in response to receiving the at least one tag identifier. Therefore, *D'Evelyn* cannot be said to anticipate claim 1. *D'Evelyn* fails to anticipate claims 2-7 at least by virtue of their dependency from claim 1.

4. *D'Evelyn* does not anticipate claim 8.

*D'Evelyn* also fails to anticipate claim 8. Claim 8 requires at least one tag identifier to be transmitted "to the emergency call register and public safety answering point call center," from the mobile switching center. In *D'Evelyn*, the PSAP 126 in *D'Evelyn* does not receive any tag identifier from the MSC 248. As discussed above, the IID is not assigned to a 9-1-1 call until the call enters the system 120. Therefore, the IID cannot be said to be transmitted to an emergency call register and public safety answering point call center from the MSC 248. Accordingly, *D'Evelyn*

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<sup>42</sup> *Id.* at [0077].

cannot be said to anticipate claim 8 because D'Evelyn fails to teach or fairly suggest at least transmitting at least one tag identifier "to the emergency call register and public safety answering point call center," from the mobile switching center, as required by claim 8. Claims 9-13 are also patentable over *D'Evelyn* at least by virtue of their dependency from claim 8.

5. *D'Evelyn does not anticipate claim 18.*

*D'Evelyn* also fails to anticipate claim 18. Claim 18 requires at least one tag identifier be received and entered at the emergency service messaging entity, and an emergency call corresponding to the entered at least one tag identifier be requested. *D'Evelyn* fails to teach or fairly suggest such features. According to *D'Evelyn*, when a 9-1-1 call is made, the ESME 124 receives position information from the MPC 250, and sends the position information to the PSAP 126 for dispatching first responders 128. At this point, however, the emergency 9-1-1 call has already been made, and thus, no such request for an emergency call is needed nor performed. Therefore, *D'Evelyn* clearly fails to teach or fairly suggest at least, "requesting the emergency call corresponding with the entered at least one entered tag identifier," as required by claim 18.

6. *D'Evelyn does not anticipate claim 22.*

*D'Evelyn* also fails to anticipate claim 22. Claim 22 requires at least one tag identifier to be transmitted "from the mobile switching center

associated with the at least one wireless unit to an emergency service message entity in response to the emergency call from the at least one wireless unit." *D'Evelyn*, however, fails to teach or fairly suggest such a feature. To the contrary, in *D'Evelyn* the identifiers identifying emergency calls and caller origins are stored at the ESME 124. The ESME 124 is queried by the system 120 to obtain an identifier (IID), but such an identifier is not transmitted to the ESME 124. Therefore, *D'Evelyn* also fails to anticipate claim 22. Claims 23-27 are also patentable over *D'Evelyn* at least by virtue of their dependency from claim 22.

7. *D'Evelyn* does not anticipate claim 14

*D'Evelyn* also fails to anticipate claim 14. Claim 14 requires at least one tag identifier be transmitted "to an emergency service message entity," and an "emergency callback corresponding with the entered at least one received tag identifier," be requested. *D'Evelyn*, however, fails to teach or fairly suggest such features. To the contrary, in *D'Evelyn* the identifiers IIDs identifying emergency calls and caller origins are stored at the ESME 124. The ESME 124 is queried by the system 120 to obtain an identifier, but such an identifier is not transmitted to the ESME 124.

Moreover, *D'Evelyn* fails to mention any "callback," procedures whatsoever, and thus, cannot be said to teach or fairly suggest "requesting the emergency callback," as required by claim 14.

For at least these reasons, *D'Evelyn* also fails to anticipate claim 14. Claims 15-17 are also patentable over *D'Evelyn* at least by virtue of their dependency from claim 22.

**VIII. CLAIMS APPENDIX**

An Appendix containing a copy of the claims involved in this Appeal is attached.

**IX. EVIDENCE APPENDIX**

None. However, in accordance with United States Patent and Trademark Office Practice, attached hereto is a blank Appendix indicating the same.

**X. RELATED PROCEEDINGS APPENDIX**

None. However, in accordance with United States Patent and Trademark Office Practice, attached hereto is a blank Appendix indicating the same.

**XI. CONCLUSION:**

In light of the foregoing arguments, Appellant respectfully requests the Board to reverse the Examiner's rejection of claims 1-27.

APPELLANT'S BRIEF ON APPEAL UNDER 37 C.F.R. §41.37

U.S. Application No. 10/798,629

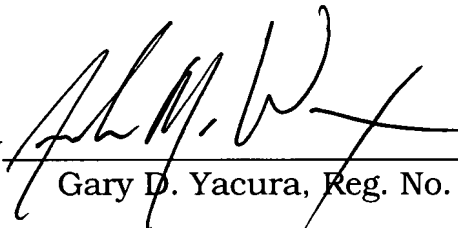
Atty Docket No. 29250-002319/US

The Commissioner is authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, PLC

By

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**VIII. CLAIMS APPENDIX**

The following is a list of the claims involved in this Appeal:

1. A method of communication to at least one wireless unit originating an emergency call, the method comprising:

receiving from a public safety answering point call center at least one tag identifier in response to the emergency call from the at least one wireless unit; and

transmitting to the public safety answering point call center a wireless call back number corresponding with the at least one tag identifier in response to receiving the at least one tag identifier.

2. The method of claim 1, wherein the at least one tag identifier comprises a reference key to a database.

3. The method of claim 2, wherein the database comprises at least one of an emergency call register and an emergency service message entity.

4. The method of claim 2, wherein the at least one tag identifier corresponds with at least one of an emergency service routing key, a local public safety number, a paging identity and a mobile equipment identification number.

5. The method of claim 1, wherein a public service answering point emergency call register receives the at least one tag identifier and transmits the wireless call back number over a network interface between a public service answering point emergency call register and the public safety answering point call center.

6. The method of claim 1, wherein the step of transmitting a wireless call back number comprises: transmitting location information associated with the at least one wireless unit, the location information corresponding with the at least one tag identifier.

7. The method of claim 6, wherein an emergency service message entity transmits the location information associated with the at least one wireless unit.

8. A method of establishing an emergency call originated by at least one wireless unit within a communication system having an emergency call register, the method comprising:

transmitting to the emergency call register and a public safety answering point call center at least one tag identifier from a mobile switching center associated with the at least one wireless unit in response to the emergency call from the at least one wireless unit.

9. The method of claim 8, wherein the at least one tag identifier comprises a reference key to the emergency call register.

10. The method of claim 9, wherein the at least one tag identifier corresponds with at least one of an emergency service routing key, a local public safety number, a paging identity and a mobile equipment identification number.

11. The method of claim 8, wherein the at least one tag identifier is transmitted over an a network interface between the emergency call register and the mobile switching center.

12. The method of claim 11, comprising: entering the transmitted at least one tag identifier into the emergency call register.

13. The method of claim 12, wherein the emergency call register comprises at least one of a serving system emergency call register and a public service answering point emergency call register.

14. A method of establishing an emergency callback originated by at least one wireless unit within a communication system having an emergency



service message entity, the method comprising:

transmitting at least one tag identifier to the emergency service message entity;

entering the at least one tag identifier into the emergency service message entity; and

requesting the emergency callback corresponding with the entered at least one received tag identifier.

15. The method of claim 14, wherein the at least one tag identifier comprises a reference key to an emergency call register.

16. The method of claim 15, wherein the at least one tag identifier corresponds with at least one of an emergency service routing key, a local public safety number, a paging identity and a mobile equipment identification number.

17. The method of claim 14, wherein the at least one tag identifier is transmitted to the emergency service message entity over a network interface between the emergency service message entity and a public service answering point emergency call register.

18. A method of establishing an emergency call originated by at least one

wireless unit within a communication system having an emergency service message entity, the method comprising:

receiving at least one tag identifier at the emergency service messaging entity; entering the at least one tag identifier into the emergency service message entity; and

requesting the emergency call corresponding with the entered at least one entered tag identifier.

19. The method of claim 18, wherein the at least one tag identifier comprises a reference key to the emergency call register.

20. The method of claim 19, wherein the at least one tag identifier corresponds with at least one of an emergency service routing key, a local public safety number, a paging identity and a mobile equipment identification number.

21. The method of claim 18, wherein the at least one tag identifier is transmitted from the emergency call register to the emergency service message entity over a network interface between the emergency service message entity and a public service answering point emergency call register.

22. A method of establishing an emergency call originated by at least one

wireless unit associated with a mobile switching center, the method comprising:

transmitting at least one tag identifier from the mobile switching center associated with the at least one wireless unit to an emergency service message entity in response to the emergency call from the at least one wireless unit.

23. The method of claim 22, comprising: transmitting callback and location information associated with the at least one wireless unit, the callback and location information corresponding with the at least one tag identifier.

24. The method of claim 23, wherein the emergency service message entity transmits the callback and location information associated with the at least one wireless unit over a network interface between the emergency service message entity and a public safety answering point call center.

25. The method of claim 18, wherein the at least one tag identifier comprises a reference key to the emergency call register.

26. The method of claim 25, wherein the at least one tag identifier corresponds with at least one of an emergency service routing key, a local

public safety number, a paging identity and a mobile equipment  
identification number.

27. The method of claim 26, wherein the callback and location information  
is transmitted from the emergency service message entity in response to  
receiving the emergency service routing key.

APPELLANT'S BRIEF ON APPEAL UNDER 37 C.F.R. §41.37

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**IX. EVIDENCE APPENDIX**

The following is a list of any evidence submitted under 37 C.F.R. §§

1.130, 1.131, or 1.132:

APPELLANT'S BRIEF ON APPEAL UNDER 37 C.F.R. §41.37  
U.S. Application No. 10/798,629  
Atty Docket No. 29250-002319/US

**X. RELATED PROCEEDINGS APPENDIX**

The following is a list of decisions rendered by the Court or the Board  
in related Appeals and Interferences:

None.

APPELLANT'S BRIEF ON APPEAL UNDER 37 C.F.R. §41.37

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**APPENDIX D – DECISIONS RENDERED BY THE COURT**  
**OR THE BOARD IN RELATED APPEALS AND INTERFERENCES**  
**SECTION**

None.